
STATUTORY INSTRUMENTS

2020 No. 973

The Coronavirus (Retention of Fingerprints and DNA Profiles in the Interests of National Security) (No. 2) Regulations 2020

Extension of a current statutory retention period

3.—(1) Paragraph (4) applies in respect of fingerprints or DNA profiles that satisfy the conditions in paragraphs (2) and (3).

(2) The first condition is that the fingerprints or DNA profiles are retained—

(a) under any of the following provisions—

(i) paragraph 20B(3) or paragraph 20C(3) of Schedule 8 to the Terrorism Act 2000 (retention of paragraph 20A material)(1);

(ii) section 18A(1) of the Counter-Terrorism Act 2008 (retention of section 18 material)(2);

(iii) paragraph 8(2) of Schedule 6 to the Terrorism Prevention and Investigation Measures Act 2011 (retention of paragraph 6 material)(3), or

(b) under section 63F(3) of the Police and Criminal Evidence Act 1984 (retention of section 63D material)(4) if the fingerprints or DNA profiles satisfy the national security retention condition (see regulation 5).

(3) The second condition is that the final day of the period for which the fingerprints or DNA profiles may be retained (“the retention period”) will (ignoring the effect of these Regulations) fall on a date during the period that starts with 1st October 2020 and ends with 24th March 2021.

(4) The retention of the fingerprints or DNA profiles may continue for a further period of six months starting with the date on which the final day of the retention period would otherwise have fallen.

(5) In paragraphs (3) and (4), references to the retention period include a retention period as extended in accordance with regulation 3 of the first retention Regulations (extension of a current statutory retention period).

(1) 2000 c. 11. Paragraphs 20B and 20C of Schedule 8 were inserted by section 19 of, and paragraph 1(4) of Schedule 1 to, the Protection of Freedoms Act 2012 (c. 9).

(2) 2008 c. 28. Section 18A was inserted by section 19 of, and paragraph 4 of Schedule 1 to, the Protection of Freedoms Act 2012.

(3) 2011 c. 23.

(4) 1984 c. 60. Section 63F was inserted by section 3 of the Protection of Freedoms Act 2012.